

Hearing Date: February 4, 2025

Linda Rae Bergofsky
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TESTIMONY ON SB422- POSITION: FAVORABLE WITH AMENDMENTS
Juvenile Court – Jurisdiction

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Linda Bergofsky

OPENING: My name is Linda Bergofsky. I am a resident of District 15. I am submitting this testimony in support with amendments of SB422, Juvenile Court – Jurisdiction.

By way of background, I am a member of Oseh Shalom synagogue in Laurel, MD and serve as the chair of its Social Justice committee. I am also a substitute teacher in Montgomery County, where I have had, for the past 5 years, the privilege of working with students ranging in age from 6 to 18. My professional training and experiences as both a social worker and teacher have exposed me to many children and adolescents who come from different backgrounds, and have achieved varying levels of maturity and intellectual development. When I meet them, it maybe their best day ever or their worst day ever. It is a biological, psychological, and social reality that most kids don't make good decisions as they push boundaries and test the patience of parents and teachers. But, at the end of the day, they are still just kids, no matter how much bravado or worldliness they exhibit or how big they are

Everyone agrees that getting serious about public safety and the well-being of young people are both important. Yet, the practice of automatically charging kids as adults sends children to adult detention facilities with fewer resources and less access to education than in the juvenile system. In Maryland as elsewhere, this injustice falls disproportionately upon youth of color and particularly punishes Black teenagers. More importantly, it does not improve public safety.

Senator Smith's bill, SB422, eliminates automatic charging for children aged 14, and 15, and reduces the list of charges for 16 and 17 year olds. This is a good start, but it does not go far enough. I am requesting amendments that would end automatic charging for all offenses and for all children 17 and younger. This amendment simply changes where juvenile cases start, and would still allow cases to be waived up to adult court after judicial review.

I am in favor of this bill with amendments because its premise is based on research and best practices, not anecdotes and media hype. Once amended as I have suggested, SB422 would direct children and adolescents accused of crimes into a system that is best prepared to address the full scope of their needs while respecting their constitutional rights. We owe them nothing less.

Laurel is at the crossroads of four counties. Our state is at the crossroads when it comes to balancing juvenile justice with the need to protect public safety. I hope the Judicial Proceedings Committee makes the right choice to let kids be kids, even on the worst days of their lives.

I respectfully urge this committee to return a favorable report with amendments on SB422.